

PROOF OF SERVICE

**REQUEST AND WRIT FOR
GARNISHMENT (NONPERIODIC)**

Case No. 03-4098

TO PROCESS SERVER: You must serve the garnishee with two copies of the request and writ of garnishment, a disclosure form, and any applicable fee, and file proof of service with the court clerk as directed by the plaintiff. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE

☐ **OFFICER CERTIFICATE**

OR

☒ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

☒ I served two copies of the request and writ of garnishment, a disclosure form, and any applicable fee by:
☐ personal service ☒ registered or certified mail (copy of return receipt attached) on:

Garnishee name <u>Clear River Communications</u>	Complete address of service <u>2401 Eastlawn Dr. Midland, MI 48642</u>	Day, date, time <u>Fr. Dec. 10, 2010 Certified Mail</u>
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☐ I have personally attempted to serve the writ of garnishment, a disclosure form, and the applicable fee on the garnishee and have been unable to complete service.

Garnishee name	Complete address of service	Day, date, time

I declare that the statements above are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee
\$		\$
Incorrect address fee	Miles traveled	Fee
\$		\$
		TOTAL FEE
		\$

Signature

Name (type or print)

Title

Subscribed and sworn to before me on 12-14-2010 Oakland County, Michigan.

My commission expires: 3-11-2011

Signature:

Deputy court clerk/Notary public

Notary public, State of Michigan, County of Oakland

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received two copies of the request and writ of garnishment, a disclosure form, and any applicable fee on

Day, date, time

Signature

on behalf of

Approved, SCAO

Original - Court (Part 1)
1st copy - Garnishee (Part 2)
2nd copy - Defendant (Part 2)

3rd copy - Return (proof of service) (Part 1)
4th copy - Plaintiff/Attorney (proof) (Part 2)

• STATE OF MICHIGAN
____ JUDICIAL DISTRICT
____ JUDICIAL CIRCUIT
US Bankruptcy Court- Eastern

REQUEST AND WRIT FOR GARNISHMENT
(NONPERIODIC)

• CASE NO.
02-66238
Adversary No. 03-4098

Court address District of Michigan • Zip code
211 West Fort Street, Detroit, Michigan 48226

Court telephone no.

(313) 234-0068

Plaintiff name and address (judgment creditor)
• Associated Newspapers of Michigan, Inc., Eagle Graphics,
Inc., and David Willett

Plaintiff's attorney, bar no., and address

- Donald R. Bachand (P45231)
- 74 W. Long Lake Road, Suite 200
- Bloomfield Hills, MI 48304
- Telephone no.
(248) 645-1450

v

Defendant name and address (judgment debtor)

Clare County Review
2141 E. Ludington Drive
Clare, Michigan 48617

Account no.

Garnishee name and address

Clear River Communications
2401 Eastlawn Drive
Midland, MI 48642

** Insert social security number here.

REQUEST See instructions for item 2 on other side.

1. Plaintiff received judgment against defendant for \$ 170,509.64 on July 20, 2009.
2. The total amount of judgment interest accrued to date is \$ 1,108.16. The total amount of postjudgment costs accrued to date is \$ 0.00. The total amount of postjudgment payments and credits made to date is \$ 0.00. The amount of the unsatisfied judgment now due (including interest and costs) is • \$ 171,617.80.
3. Plaintiff knows or with good reason believes the garnishee is indebted to or possesses or controls property belonging to defendant.
4. Plaintiff requests a writ of nonperiodic garnishment.

I declare that the statements above are true to the best of my information, knowledge, and belief.

12/06/2010

Date

Plaintiff/Agent/Attorney signature

WRIT OF GARNISHMENT

To be completed by the court. See other side for additional information and instructions.

TO THE PLAINTIFF: You must provide all copies of the disclosure form (MC 14), two copies of this writ for serving on the garnishee, and \$1.00 disclosure fee. You are responsible for having these documents served on the garnishee within 91 days. If the disclosure states that the garnishee holds property **other than money** belonging to the defendant, you must motion the court within 56 days after the disclosure is filed for an order to apply the property toward the judgment. **NOTE:** The social security number field is blacked out on the court copies for security reasons, but will appear on the garnishee, defendant, and plaintiff copies.

TO THE DEFENDANT:

1. Do not dispose of any negotiable instrument representing a debt of the garnishee or any negotiable instrument of title representing property in which you claim an interest held in the possession or control of the garnishee.
2. You have **14 days** after this writ is mailed or delivered to you to file objections with the court. If you do not take this action within this time, without further notice, the property or debt held under this writ may be applied to the judgment **28 days** after this writ was mailed or delivered to the garnishee.

TO THE GARNISHEE:

1. Within **7 days** after you are served with this writ, you must deliver a copy of this writ to the defendant in person or mail a copy to his or her last-known address by first-class mail.
2. Deliver no tangible or intangible property and pay no obligation to the defendant unless allowed by statute or court rule.
3. Within **14 days** after you are served with this writ, you must deliver or mail copies of your verified disclosure (form MC 14) to the court, plaintiff/attorney, and defendant. A default may be entered against you for failure to comply with this order.
4. If indebted to the defendant, you must withhold an amount not to exceed the amount of the judgment stated in item 2 of the request. Payment of withheld funds must be made **28 days** after you are served with this writ unless notified that an objection has been filed.

You are ordered to make the payment withheld under this writ payable to

and mail it to: ☒ the plaintiff ☐ the plaintiff's attorney ☐ the court
☐ the plaintiff ☒ the plaintiff's attorney ☐ the court.

5. If you hold property other than money belonging to the defendant, do not transfer it until further order of the court.

12/07/10
Date of issue

Expiration date for service

Deputy court clerk

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Clear River Communications
2401 Eastlawn Dr.
Midland, MI 48642

2. Art
(Tr)

7008 0150 0003 4684 9894

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Stephan L. Luke*
☐ Agent
☐ Addressee

B. Received by (Printed Name)

Steph Luke

C. Date of Delivery

12/10/10

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

\$.61

Certified Fee

2.80

Return Receipt Fee
(Endorsement Required)

2.30

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 5.71

Postmark
Here

12-8-10

Sent To

Clear River Communications

Street, Apt. No.,
or PO Box No.

2401 Eastlawn Dr.

City, State, ZIP+4

Midland, MI 48642

PS Form 3800, August 2006

See Reverse for Instructions